

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT  
141 CHURCH STREET  
NEW HAVEN, CONNECTICUT 06510  
(203) 773-2140

KEVIN F. ROWE  
CLERK

VICTORIA C. MINOR  
CHIEF DEPUTY CLERK

LORI A. INFERRERA  
DEPUTY IN CHARGE

**INSTRUCTIONS TO CJA PANEL ATTORNEYS  
CJA 30 DEATH PENALTY PROCEEDINGS  
APPOINTMENT OF AND AUTHORITY TO PAY COURT APPOINTED COUNSEL  
VOUCHER PREPARATION**

The CJA Form 30 should be used for all death eligible cases, regardless of whether the death penalty is authorized, not-authorized, or de-authorized.

Read these instructions carefully before completing the form. Accuracy and thoroughness will aid in the prompt payment of the claim. If possible, use a typewriter to complete the form; otherwise, write legibly with a ball point pen (preferably black or dark blue ink). If the form is generated from the automated system, Items 1-11 and 13 will be preprinted on the form. Attach an itemized statement of the services provided and expenses incurred. **YOU MUST USE EITHER THE COURT'S GENERATED WORKSHEETS OR SOMETHING SUBSTANTIALLY SIMILAR FOR YOUR SUPPORTING DOCUMENTATION.** Give the date and the number of hours claimed for each service provided. Provide dates for and a description of the expenses incurred. For additional guidance, refer to the *Guidelines for the Administration of the Criminal Justice Act and Related Statutes (CJA Guidelines)*, Volume VII, *Guide to Judiciary Policies and Procedures*, which is available for reference in the Clerk's Office.

Appointed counsel may obtain investigative, expert, and other services necessary for adequate representation in accordance with the procedures set forth in subsection (e) of the Criminal Justice Act (as amended), codified in part at 18 U.S.C. § 3006A (CJA) and subsection (q)(9) and (10)(B) of the Anti Drug Abuse Act, 21 U.S.C. § 848. Prior authorization from the presiding judicial officer is required for all such services where the cost, excluding reimbursable out-of-pocket expenses, will exceed \$300. Failure to obtain prior authorization will result in the disallowance of any amount claimed unless the presiding judicial officer, in the interest of justice, finds that timely procurement of necessary services could not await prior authorization. Payment for these services should be claimed directly by the service provider on the CJA Form 31.

The following information will assist you in understanding how your CJA vouchers [CJA 30 Death Penalty Proceedings "Appointment of and Authority to Pay Court Appointed Counsel"] are processed. Guidelines are also provided to help counsel avoid the areas where errors most frequently occur.

1. **DO NOT SEND VOUCHERS DIRECTLY TO CHAMBERS!** All vouchers should be sent to Victoria C. Minor, Chief Deputy Clerk, 141 Church St., New Haven, CT 06510.

2. **BEFORE COMPLETING YOUR VOUCHER, MAKE SEVERAL PHOTOCOPIES OF IT FOR USE IF YOU PLAN TO SUBMIT SUPPLEMENTAL PAYMENTS. YOU MAY USE A PHOTOCOPIED VOUCHER AS LONG AS IT CONTAINS AN ORIGINAL SIGNATURE!**

3. Hourly rates for the appointed attorney, partners, associates and paralegals are set at a conference with the presiding judge or magistrate judge. Until this is done, you should not submit any claims for payment. All time must be claimed in tenths of hours:

0 - 5 minutes =	.1	31 - 36 minutes =	.6
6 - 12 minutes =	.2	37 - 42 minutes =	.7
13-18 minutes =	.3	43 - 48 minutes =	.8
19 - 24 minutes =	.4	49 - 54 minutes =	.9
25 - 30 minutes =	.5	55 - 60 minutes =	1.0

***Do NOT submit claims for partial minutes (e.g., .25, .16, .35 etc.)***

4. There is no statutory maximum for death penalty proceedings. Therefore, your claims will be paid once they are approved by the assigned judicial officer.

5. **COMPLETING WORK SHEETS:** Each voucher must have work sheets attached for any claims made for in-court or out-of-court compensation as well as for any expenses claimed, regardless of the nature of the expense. **FAILURE TO INCLUDE WORK SHEETS WILL RESULT IN THE VOUCHER BEING RETURNED, UNPROCESSED.**

a. Each work sheet must include **the docket number and the name of the defendant represented.**

b. **WORKSHEETS PROVIDED BY THE COURT [OR SOMETHING SUBSTANTIALLY SIMILAR] MUST BE USED FOR YOUR SUPPORTING DOCUMENTATION. ENTRIES SHOULD BE ORGANIZED INTO THE SAME CATEGORIES CONTAINED ON THE FACE OF THE VOUCHER** and must contain the date the service was performed, a brief description of the service performed and the time spent performing the service. Travel time is allowable but the round-trip time must exceed one (1) hour before the amount may be claimed. Total hours for each service category must be transferred to the appropriate column on the front of the CJA 30 form. **Do not state "See Attached."**

6. **Vouchers shall be submitted no later than 45 days after the final disposition of the case, unless good cause is shown (Paragraph 2.21A, *cja guidelines*). All payments made pursuant to this claim are subject to post-audit; contemporaneous time and attendance records as well as expense records must be maintained for three years after approval of the final voucher (paragraph 2.32, *cja guidelines*). Any overpayments are subject to**

**collection, including deduction of amounts due from future vouchers**

7. Blocks 1-13 will be completed by the Clerk's office, at the time your voucher is generated from the automated CJA system.

**8. The remaining blocks should be completed as follows:**

<b>Item 14.</b>	<p><b>STAGE OF PROCEEDING:</b> Check the box that corresponds to the stage of proceeding for services claimed in Item 15 even if it is anticipated that the work will be used in connection with a later stage of the proceeding. <b>CHECK ONLY ONE BOX.</b> Submit a separate voucher for each stage of proceeding.</p> <p><b>NOTE:</b> The stage noted as "Other" under "Other Proceeding" should be used only for a petition for presidential pardon or clemency, or other proceeding that cannot fit within the other described categories.</p>
<b>Item 15.</b>	<p><b>CLAIM FOR SERVICES--CATEGORIES FOR HOURS AND COMPENSATION:</b> On the applicable lines "a" through "j" enter the actual time spent in hours and tenths of hours. Total the number of hours in out-of-court categories "b" - "j" and enter the total in the "HOURS CLAIMED" column where required. Multiply the total hours for in-court and out-of-court time by the allowable compensation rate. Enter the amount claimed in the "TOTAL AMOUNT CLAIMED" column for category "a", and for categories "b" - "j."</p> <p><b>NOTE:</b> Indicate "Other Dispositive Motions" only for work related to a motion to dismiss, motion for summary judgment, or similar motion to end the entire habeas corpus proceeding. If services included in-court hearings of one hour each on separate dates, enter two hours on the form and attach a sheet indicating one hour for each of the two dates.</p> <p>Any mathematical or technical adjustments to your claim during the judicial approval process or an additional review will be indicated in the columns provided on the form under the heading <b>"FOR COURT USE ONLY."</b></p>

<b>Item 16.</b>	<p><b>TRAVEL EXPENSES:</b> Travel related expenses that are incidental to the representation (e.g., transportation, lodging, meals, car rental, parking, bridge, road and tunnel tolls, etc.) must be itemized on a separate sheet, indicating dates the expense was incurred. Attach supporting documentation (receipts, canceled checks, etc.) for all travel expenses. Travel expenses by privately owned automobile, motorcycle, or aircraft should be claimed at the rate in effect for federal employees at the time of travel. For overnight travel, reasonable expenses for lodging and meals will be reimbursed on an actual expense basis; per diem is not allowed. Counsel should be guided by prevailing limitations for travel and subsistence expenses of federal employees. The clerk of court can advise you on applicable rates and federal government travel regulations.</p>

<p><b>Item 17.</b></p>	<p><b>OTHER EXPENSES:</b> Itemize all reimbursable out-of-pocket expenses incidental to the representation. Provide dates and a brief description of the expense. Submit supporting documentation (a receipt, canceled check, etc.) for single item expenses in excess of \$50. Reimbursable expenses may include, in some circumstances, payments to a law student or law clerks for research and assistance, and the cost of computer assisted legal research (CALR) when conducted by counsel. See paragraph 2.31 and 3.15 of the <i>CJA Guidelines</i> for an explanation. Fees and expenses for expert attorney and other consultants in death penalty cases should be authorized and claimed on a CJA Form 31. The following are not reimbursable expenses, and should not be claimed:</p> <ul style="list-style-type: none"> <li>a. General office overhead, such as rent, telephone services, and secretarial services.</li> <li>a. Expenses for items of a personal nature for the client (e.g., clothes, haircuts).</li> <li>b. The cost of printing briefs. However, the cost of photocopying or similar copying service is reimbursable.</li> <li>c. Fact witness fees, witness travel costs, and expenses for service of subpoenas. These expenses are not paid out of the CJA appropriation, but instead are paid by the Department of Justice pursuant to Fed. R. Crim. P. 17 and 28 U.S.C. § 1825. Contact the United States Marshal for payment procedures. See paragraph 3.13 of the <i>CJA Guidelines</i> for guidance on payment of witness fees generally.</li> <li>d. Filing fees. These fees are waived for persons proceeding under the CJA.</li> <li>e. The cost of allowable investigative, expert, or other services. (See Chapters III and VI of the <i>CJA Guidelines</i>) such services should be requested using a CJA Form 31.</li> <li>g. Compensation taxes. Taxes paid on attorney compensation, whether based on income, sale, or gross receipts, are not reimbursable expenses.</li> </ul> <p><b>Totals:</b> Enter the "Grand Total" where required by adding the total amount claimed for "in-court," "categories b - j," "Travel Expenses," and "Other Expenses."</p>
<p><b>Item 18.</b></p>	<p><b>CERTIFICATION OF ATTORNEY/PAYEE FOR PERIOD OF SERVICE:</b> The person appointed by the court must certify dates of service for the representation. Indicate where required, the date range for the services claimed on the voucher.</p>
<p><b>Item 19.</b></p>	<p><b>APPOINTMENT TERMINATION DATE, IF OTHER THAN CASE COMPLETION:</b> If the appointment is discontinued by order of the court (i.e., substituted counsel or reasons other than disposition of the defendant's case such as fugitive defendant, appointment of a public defender, or retention of counsel by defendant), give the effective date for termination of appointment.</p>

<b>Item 20.</b>	<b>CASE DISPOSITION:</b> Indicate case disposition for the person represented. Select applicable code from the table below.

	Type of Disposition	Code
District Court Criminal and Other Proceedings	Dismissed	1
	Acquitted by court, or government motion for judgment of acquittal granted	2
	Acquitted by jury	3
	Convicted/final plea guilty	4
	Convicted/final plea nolo	5
	Convicted/court trial	8
	Convicted/jury trial	9
	Mistrial	C
	Not Guilty/insane/court trial	E
	Guilty/insane/court trial	F
	Not guilty/insane/jury trial	G
	Guilty/insane/jury trial	H
	Other (PTD matters, other reps. Transfers ,etc)	X
Appeals	Affirmed	A
	Reversed	R
	Remanded	0
	Reversed in Part/Affirmed in Part	RA
	Affirmed in Part/Reversed in Part	AR
	Dismissed	1
Habeas/Petitions/Writs	Granted	GR
	Denied	DE

<b>Item 21.</b>	<b>CLAIM STATUS:</b> Indicate, by checking the appropriate box, whether the voucher is (1) the final payment for the services, (2) an interim payment, or (3) a supplemental payment (an additional claim submitted after a final payment is made). If an interim payment, indicate the payment number. Complete the remaining portion of Item 21, and sign and date the affirmation statement before submitting the claim for court approval.
<b>Items 22-27a.</b>	<b>APPROVED FOR PAYMENT--COURT USE ONLY:</b> The presiding judicial officer will indicate the amount approved for each major category. These amounts will reflect mathematical or technical adjustments to your claim. The total amount approved for payment of the claim, less any amounts withheld for interim payment, is reflected in the <b>"TOTAL AMOUNT APPROVED."</b> The <b>"SIGNATURE OF THE PRESIDING JUDICIAL OFFICER"</b> is required to effect payment of the claim. The <b>JUDGE CODE</b> will be provided by the court staff.

Any questions about allowable claims, completing the vouchers or the payment process should be directed to the New Haven Clerk's Office at (203) 773-2140.